THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.6794 of 2007

Dated: 05.04.2007

Between:

Adirala Venkatesh.

..... PETITIONER

AND

The Deputy Collector/Recording Authority,
Rajendranagar Mandal, Ranga Reddy District, and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.6794 of 2007

ORDER:

The petitioner is allegedly owner of land admeasuring Ac.1.39 gts in survey No.23 situated at Upperpalli Village, Rajendranagar Mandal, Ranga Reddy District. It appears that respondents 2 to 6 filed a writ petition, being W.P.No.4331 of 2006, before this Court seeking a direction to the Mandal Revenue Officer (MRO)/Recording Authority to expedite the enquiry in the application made by them for necessary record of rights (ROR). Said writ petition was disposed of by this Court on 07.03.2006. When the enquiry was taken by first respondent, the petitioner herein filed an objection petition on 15.03.2007. The petitioner alleges that first respondent is not inclined to consider the same and therefore, he filed instant writ petition.

Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Revenue (General-T). There cannot be any denial that when an application is made by a person acquiring rights by any one of the modes indicated under Section 4 of the Andhra Pradesh Rights in Land & Pattadar Pass Books Act, 1971 (for short, the Act), MRO is required to conduct enquiry as contemplated under Rule 5 read with Rules 18 to 21 of the Andhra Pradesh Rights in Land and Pattadar Pass Books Rules, 1989 (the Rules, for brevity). A bare perusal of these provisions would show that after receiving the application for change/amendment of record of rights or change of entries in pattadar passbooks, MRO is required to issue notice in Form VIII under Rule 19(1) of the Rules inviting objections from all persons interested in the subject matter. When the petitioner made such objection petition, needless to say; first respondent is bound to consider the objections and pass necessary orders. This legal position is not denied by the learned Assistant Government Pleader.

Therefore, the writ petition is disposed of directing first respondent (Recording Authority) to consider the application/objection petition made by the petitioner on 15.03.2007 while considering the request of respondents 2 to 6. No costs.

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(**V.V.S.RAO, J**)

05th April, 2007

ghn